

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WAYNE SZYMBORSKI, On Behalf of
Himself and All Others Similarly Situated,

Plaintiff,
vs.

ORMAT TECHNOLOGIES, INC.,
YEHUDIT BRONICKI, JOSEPH TENNE,

Defendants.

**CASE NO.: 3:10-CV-00132-
ECR-RAM**

**(PROPOSED) ORDER
CONSOLIDATING RELATED
CASES, APPOINTING LEAD
PLAINTIFFS, AND
APPROVING CO-LEAD
COUNSEL**

PAUL STEBELTON, On Behalf of
Himself and All Others Similarly Situated,

Plaintiff,
vs.

ORMAT TECHNOLOGIES, INC.,
JOSEPH TENNE, YEHUDI BRONICKI,
YORAM BRONICKI, LUCIEN Y.
BRONICKI, DAN FALK, JACOB J.
WORENKLEIN, ROGER W. GALE,
ROBERT F. CLARKE,

Defendants.

**CASE NO.: 3:10-CV-00156-ECR-
RAM**

JOHN J. CURTIS, On Behalf of Himself
and All Others Similarly Situated,

Plaintiff,
vs.

ORMAT TECHNOLOGIES, INC.,
JOSEPH TENNE, YEHUDI BRONICKI,

Defendants.

**CASE NO.: 3:10-CV-00198-ECR-
RAM**

1 Upon good cause shown, IT IS HEREBY ORDERED THAT:

2 Consolidation of Cases

3
4 The above-captioned securities fraud class actions pending in this Judicial
5 District are hereby consolidated for all purposes pursuant to Rule 42(a) of the Federal
6 Rules of Civil Procedure. Any actions that have been filed, or may be filed, which are
7 related and which may be considered herewith, are collectively referred to as “In re
8 Ormat Technologies, Inc. Securities Litigation.”

9
10 Master Docket and Master File

11
12 A Master File is hereby established for the consolidated proceedings in the
13 Consolidated Actions. The docket number for the Master File shall be Master
14 File No. 10-CV-132. The original of this Order shall be filed by the Clerk in the
15 Master File. The Clerk shall mail a copy of this Order to counsel of record in each of
16 these Consolidated Actions.

17
18 A Master Docket is hereby established for consolidated proceedings of the
19 securities fraud actions consolidated herein and for any related securities fraud actions
20 filed in or transferred to this Court and consolidated herewith for all purposes
21 (hereinafter, the “Consolidated Actions”). Entries in the Master Docket shall be
22 applicable to the Consolidated Actions as more fully set forth below. The Clerk of the
23 Court shall file all pleadings in any of the actions in the Master File and shall note
24 such filing in the Master Docket. No further copies need be filed or docket entries
25 made.
26
27
28

1 The terms of this Order shall not have the effect of making any person, firm or
2 corporation a party to any action in which he, she or it has not been named, served or
3 added as such in accordance with the Federal Rules of Civil Procedure.
4

5 Newly Filed or Subsequently Filed or Transferred Actions

6 If a securities fraud action related to the same subject matters as these
7 Consolidated Actions is hereafter filed in this Court or transferred here from another
8 Court, the Clerk of this Court shall:
9

- 10
- 11 • File a copy of this Order in the separate file for such action;
 - 12 • Notify all counsel of record of the filing or transfer of such action;
 - 13 • Make an appropriate entry in the Master Docket;
 - 14 • Mail to counsel of record in the newly filed or transferred case a copy of
15 this Order; and
16
- 17 • Upon the first appearance of any new defendants, mail to the attorneys
18 for the defendants in such newly filed or transferred case a copy of this Order.
19

20 All counsel shall assist the Clerk of the Court by calling to the attention of the
21 Clerk the filing or transfer of any case which might properly be consolidated with
22 these Consolidated Actions.
23

24 This Order shall apply to each securities fraud action that is subsequently filed
25 in or transferred to this Court, or consolidated with any of these actions, that arises out
26 of or is related to the same facts and claims alleged in the complaints in the
27

Consolidated Actions, unless a party objecting to the consolidation of such case or to

any other provision of this Order shall, within ten (10) days after the date upon which a copy of this Order is mailed to counsel for such party, file an application for relief from this Order or any provision herein and this Court deems it appropriate to grant the application. The provisions of this Order shall apply to such action pending the Court's ruling on the application.

Unless a plaintiff in a subsequently filed or transferred case is permitted by the Court to utilize a separate complaint, defendants shall not be required to answer, plead or otherwise move with respect to the complaint in any such case. If a plaintiff in any such case is permitted to utilize a separate complaint, each defendant shall have thirty (30) days within which to answer, plead or otherwise move with respect to any such complaint.

Caption of Cases

Every pleading filed in these Consolidated Actions shall bear the following caption:

IN RE ORMAT TECHNOLOGIES, INC.
SECURITIES LITIGATION

Master File No.
10-132

This Document Relates To:

When a document is intended to be applicable to all actions to which this Order is applicable, the words "All Actions" shall appear immediately after the words "This Document Relates To:" in the caption set forth above. When a document is intended to be applicable only to some, but not all, actions, immediately after the words "This

1 Document Relates To:” in the caption described above, there shall appear “Civil
2 Action No. [insert number] [insert name of Plaintiff].”
3

4 Appointment of Lead Plaintiffs

5 Class members Jianxun Dong, George Umino, and the A.R.D. Investment Club,
6 L.P. (“Movants”) are hereby appointed as lead plaintiffs of all individuals or entities
7 who acquired or purchased securities of Ormat Technologies, Inc. between May 6,
8 2008 and February 24, 2010, inclusive. This appointment is without prejudice to
9 defendants’ right to challenge the adequacy, typicality, or ability of the plaintiffs to
10 represent the absent class members in these Consolidated Actions or the propriety of
11 this case being certified as a class action.
12

13 Organization of Plaintiffs’ Counsel
14

15 Lead plaintiffs’ selection of Bernstein Liebhard LLP and Glancy Binkow &
16 Goldberg LLP as co-lead counsel (“Lead Counsel”) and the Law Offices of Mark
17 Wray as liaison counsel for all plaintiffs and the Class in this action is approved.
18
19

20 Lead Counsel are hereby vested by the Court with the following responsibilities
21 and duties in connection with this action:
22

- 23 1. To direct and coordinate the briefing and arguing of motions;
- 24 2. To direct and coordinate the initiation and conduct of discovery
25 proceedings, including, but not limited to, requests for production of documents
26 and/or third party subpoenas;
27
28

1 3. To direct and coordinate the examination of witnesses in
2 depositions and oral interrogatories;

3
4 4. To act as spokesperson at pretrial conferences;

5 5. To call meetings of plaintiffs' counsel as appropriate or necessary
6 from time to time;

7
8 6. To direct the preparation for a trial of this matter and to delegate
9 work responsibilities to selected counsel as may be required in such a manner as to
10 lead to the orderly and efficient prosecution of this litigation and to avoid duplicative
11 or unproductive effort;

12
13 7. To direct and coordinate the conduct of pre-trial, trial and post-trial
14 proceedings;

15
16 8. To consult with and employ experts;

17 9. To coordinate and collect monthly time and expense reports from
18 all plaintiffs' attorneys in this action;

19
20 10. To initiate and conduct all settlement negotiations with counsel for
21 defendants; and

22
23 11. To perform such other duties as may be expressly authorized by
24 further order of the Court.

25 No motion, request for discovery, or other pre-trial proceedings shall be
26 initiated or filed by any plaintiff except through Lead Counsel.
27
28

1 Defendants' counsel may rely upon all agreements made with Lead Counsel, and such
2 agreements shall be binding on all plaintiffs in this action. Lead Counsel are hereby
3 designated as the counsel for plaintiffs upon whom all notices, orders, pleadings,
4 motions, discovery, and memoranda may be served and defendants shall effect service
5 of papers on plaintiffs by serving Bernstein Liebhard LLP, 10 East 40th Street, New
6 York, New York 10016, Glancy Binkow & Goldberg, LLP, 1801 Avenue of the Stars,
7 Los Angeles, CA 90067, and The Law Offices of Mark Wray, 608 Lander Street,
8 Reno, Nevada 89509.

9
10
11 If defendants file a single pleading or other paper directed to all plaintiffs in this
12 action, the response on behalf of plaintiffs shall be made in a single pleading or other
13 paper to be served by Lead Counsel. All plaintiffs in this action shall be bound by
14 that pleading or paper.

15
16
17 The organizational structure established by this Order shall bind counsel for
18 plaintiffs in this action or any subsequently filed cases consolidated therewith.

19
20 Movants, through Lead Counsel, shall file a consolidated class action complaint
21 (the "Consolidated Complaint") within 45 days of the entry of this Order. The
22 defendants shall answer or otherwise respond to the Consolidated Complaint within
23 45 days after its service.

24
25 SO ORDERED, this ____ day of _____, 2010

26
27
28 _____
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing document was served on May 10, 2010 via electronic mail pursuant to the CM/ECF system to each of the interested parties as follows:

Curtis B. Coulter
Irene@coulterlaw.com

Matthew B. Hippler
mhippler@hollandhart.com

David O'Mara
david@omaralaw.net

Bruce G. Vanyo
bruce@kattenlaw.com

Richard Zelichov
Richard.zelichov.@kattenlaw.com

Tamara Jankovic
tjankovic@hollandhart.com

/S/ MARK WRAY

MARK WRAY